

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF RICHLAND)	
)	Civil Action No. 2019-CP-40-05486
ROBERT DURDEN INGLIS;)	
FRANK HEINDEL,)	
)	
Plaintiffs,)	
)	
v.)	PLAINTIFFS' SUPPLEMENTAL
)	NOTICE
THE SOUTH CAROLINA)	
REPUBLICAN PARTY & DREW)	
MCKISSICK, State Chairman of)	
the South Carolina Republican)	
Party, in his official capacity.)	
)	
Defendants.)	

Plaintiffs respectfully submit this notice to correct an error in plaintiffs' motion papers. As this Court is aware, plaintiffs seek an order reversing the S.C. GOP's unlawful cancelation of the "First in the South" presidential primary to prevent irreparable harm to both plaintiffs and the public interest. *See* Pls.' Mot. for Prelim. Inj.

In plaintiffs' memorandum in support of their motion for a preliminary injunction, plaintiffs incorrectly stated that the Court would need to issue relief "by December 4" in order to preserve plaintiffs' right to cast votes in the first primary in the South in the 2020 Republican primary. *Id.* at 2. The correct date is December 3, 2019, not December 4. Plaintiffs apologize for this error.

The first southern Republican primaries are currently scheduled to occur on March 3, 2020.¹ To hold a presidential primary on that same date, the S.C. GOP must inform the South Carolina State Election Commission no later than December 3, 2019, of the March 3, 2020 date of its presidential primary under South Carolina law. *See* S.C. Code Ann. § 7–11–20(B)(3) (“The political party shall give written notice to the State Election Commission of the date set for the party’s presidential preference primary no later than ninety days before the date of the primary.”).² Plaintiffs also note that in order to hold a primary on February 29, 2020 (the same day as the South Carolina Democratic Party’s primary), the notice would have to be submitted no later than November 30, 2019.

¹ The next set of Republican Party presidential primary elections, which includes the North Carolina and Alabama primaries, will take place on March 3, 2020. *See* Sarah Almukhtar, Jonathan Martin & Matt Stevens, *2020 Presidential Election Calendar*, N.Y. Times (Oct. 25, 2019), <https://www.nytimes.com/interactive/2019/us/elections/2020-presidential-election-calendar.html>.

² “In computing any period of time prescribed or allowed by . . . any applicable statute, the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a State or Federal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor such holiday.” Rule 6(a), SCRCP; *see, e.g., Walton v. Canal Ins. Co.*, 331 S.C. 636, 643–44, 503 S.E.2d 727, 730–31 (1998); *Lindsey v. S.C. Tax Comm’n*, 323 S.C. 57, 60 n.3, 448 S.E.2d 577, 578 n.3 (Ct. App. 1994). Accordingly, in order to hold a primary on March 3, 2020 (i.e., the same day as the first southern Republican primaries), defendants must notify the Election Commission of their decision by December 3 so that the 90-day period concludes on March 2, permitting the Commission to conduct the election on March 3.

Dated: November 22, 2019

Respectfully submitted,

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